

DEC 21 2004

DATE: December 21, 200413 pages, including cover page.TELECOPIER TRANSMITTAL SHEETTO: USPTO Attention: Examiner Agnes Beata RookeTELECOPIER TELEPHONE NUMBER: TO: (703) 872-9306FROM: Thomas Triolo TELEPHONE NO. (908) 298-2347

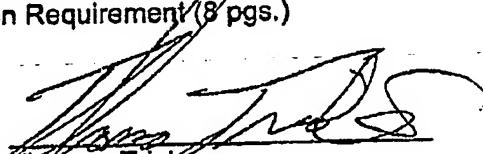
**SCHERING-PLOUGH CORPORATION**  
PATENT DEPARTMENT K-6-1, 1990  
KENILWORTH, NEW JERSEY 07033  
UNITED STATES OF AMERICA  
TELECOPIER NO. (908) 298-5388

IF THERE IS A PROBLEM WITH THIS TRANSMISSION, PLEASE CALL: (908) 298-5209

**PLEASE HAND DELIVER**

In re Application of: Taremi, et al.  
For Patent entitled: "Soluble, Stable Form of HDm2, Crystalline Forms Thereof and  
Methods of Use Thereof"  
Filed: April 9, 2004  
Attorney Docket No.: JB06017US01  
Serial No.: 10/822,254  
Transmitted herewith are:

- Fax Cover Sheet (1 pg.)
- Response Transmittal (1 pg.)
- Certificate of Fax Transmission (1 pg.)
- 1 Month Extension of time (1 pg., In Duplicate)
- Amendment and Response to Restriction Requirement (8 pgs.)



Thomas Triolo  
Registration No. 48,001

CONFIDENTIALITY NOTE: THE DOCUMENT(S) ACCOMPANYING THIS TELECOPY  
TRANSMISSION CONTAIN INFORMATION BELONGING TO SCHERING-PLOUGH  
CORPORATION WHICH IS CONFIDENTIAL AND/OR LEGALLY PRIVILEGED. THE  
INFORMATION IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR  
ENTITY NAMED ABOVE. IF YOU HAVE RECEIVED THIS TELECOPY IN ERROR,  
PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE.

RECEIVED  
CENTRAL FAX CENTER

Attorney Docket No.: JB06017US01

Application No.: 10/822,254

Filing Date: April 9, 2004

First Named Inventor: Taremi, et al.

DEC 21 2004

PTO/SB/07 (08-03)

Approved for use through 07/31/2006. GMB 0651-0001  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

**Certificate of Transmission under 37 CFR 1.8**

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office (Fax No. 703-872-9306)

on December 21, 2004

Date

  
SignatureThomas Triolo, Reg. No. 48,001

Typed or printed name of person signing Certificate

**Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.**

Document(s) being transmitted:

Certificate of Fax Transmission under 37 CFR 1.8 (1 pg.)

Fax Cover Sheet (1 pg.)

Amendment and Response to Restriction Requirement (8 pgs.)

1 Month Extension of Time (1 pg., In Duplicate)

Response Transmittal PTO/SB/21 (1 pg.)

This collection of information is required by 37 CFR 1.8. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

DEC 21 2004

PTO/SB/21 (02-04)

Approved for use through 07/31/2006. GOM3 0861-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL  
FORM

(To be used for all correspondence after initial filing)

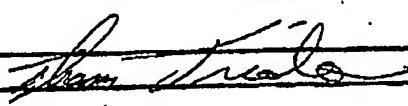
Total Number of Pages in This Submission

13

Application Number	10/822,254
Filing Date	April 9, 2004
First Named Inventor	Taremi et al.
Art Unit	1653
Examiner Name	Agnes Benta Rooke
Attorney Docket Number	JB06017US01

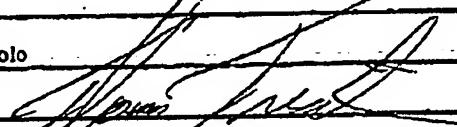
ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavit/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.63	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Certificate of Fax Transmission under 37 CFR 1.8 (1 pg.), Fax Cover Sheet (1 pg.), Response Transmittal (1 pg.)
Remarks		

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or individual name	Thomas Triolo, Reg. No. 48,001
Signature	
Date	December 21, 2004

## CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	Thomas Triolo
Signature	
Date	December 21, 2004

This collection of information is required by 37 CFR 1.1. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

DEC 21 2004

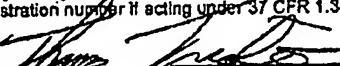
PTO/SB/022 (12-04)

Approved for use through 07/31/2008. OMB 0351-0031  
U.S. DEPARTMENT OF COMMERCE

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE  
1100 L Street, N.W., Washington, D.C. 20591-0001 (202) 707-3000

a collection of information unless it displays a valid OASIS control number.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)</b>		Docket Number (optional)																		
FY 2005 (Fee pursuant to the Consolidated Appropriations Act 2003 (H.R. 4818))		JB06017US01																		
Application Number 10/822,254		Filed April 9, 2004																		
For Soluble, Stable Form of HDm2, Crystalline Forms Thereof and Methods of Use Thereof		Examiner Agnes Beata Rooke																		
Art Unit 1653																				
This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application.																				
The requested extension and fee are as follows (check the period desired and enter the appropriate fee below):																				
<table> <thead> <tr> <th></th> <th style="text-align: center;">Fee</th> <th></th> </tr> </thead> <tbody> <tr> <td><input checked="" type="checkbox"/> One month (37 CFR 1.17(a)(1))</td> <td style="text-align: center;">\$120</td> <td style="text-align: right;">\$ 120.00</td> </tr> <tr> <td><input type="checkbox"/> Two months (37 CFR 1.17(a)(2))</td> <td style="text-align: center;">\$450</td> <td style="text-align: right;">\$ _____</td> </tr> <tr> <td><input type="checkbox"/> Three months (37 CFR 1.17(a)(3))</td> <td style="text-align: center;">\$1020</td> <td style="text-align: right;">\$ _____</td> </tr> <tr> <td><input type="checkbox"/> Four months (37 CFR 1.17(a)(4))</td> <td style="text-align: center;">\$1590</td> <td style="text-align: right;">\$ _____</td> </tr> <tr> <td><input type="checkbox"/> Five months (37 CFR 1.17(a)(5))</td> <td style="text-align: center;">\$2160</td> <td style="text-align: right;">\$ _____</td> </tr> </tbody> </table>				Fee		<input checked="" type="checkbox"/> One month (37 CFR 1.17(a)(1))	\$120	\$ 120.00	<input type="checkbox"/> Two months (37 CFR 1.17(a)(2))	\$450	\$ _____	<input type="checkbox"/> Three months (37 CFR 1.17(a)(3))	\$1020	\$ _____	<input type="checkbox"/> Four months (37 CFR 1.17(a)(4))	\$1590	\$ _____	<input type="checkbox"/> Five months (37 CFR 1.17(a)(5))	\$2160	\$ _____
	Fee																			
<input checked="" type="checkbox"/> One month (37 CFR 1.17(a)(1))	\$120	\$ 120.00																		
<input type="checkbox"/> Two months (37 CFR 1.17(a)(2))	\$450	\$ _____																		
<input type="checkbox"/> Three months (37 CFR 1.17(a)(3))	\$1020	\$ _____																		
<input type="checkbox"/> Four months (37 CFR 1.17(a)(4))	\$1590	\$ _____																		
<input type="checkbox"/> Five months (37 CFR 1.17(a)(5))	\$2160	\$ _____																		
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1-27.																				
<input type="checkbox"/> A check in the amount of the fee is enclosed.																				
<input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.																				
<input type="checkbox"/> The Director has already been authorized to charge fees in this application to a Deposit Account.																				
<input checked="" type="checkbox"/> The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number <u>19-0365</u> I have enclosed a duplicate copy of this sheet.																				
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.																				
I am the <table> <tr> <td><input type="checkbox"/> applicant/inventor.</td> </tr> <tr> <td><input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed (Form PTO/SB/98).</td> </tr> <tr> <td><input checked="" type="checkbox"/> attorney or agent of record. Registration Number <u>48,001</u></td> </tr> <tr> <td><input type="checkbox"/> attorney or agent under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34 _____</td> </tr> </table>			<input type="checkbox"/> applicant/inventor.	<input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed (Form PTO/SB/98).	<input checked="" type="checkbox"/> attorney or agent of record. Registration Number <u>48,001</u>	<input type="checkbox"/> attorney or agent under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34 _____														
<input type="checkbox"/> applicant/inventor.																				
<input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed (Form PTO/SB/98).																				
<input checked="" type="checkbox"/> attorney or agent of record. Registration Number <u>48,001</u>																				
<input type="checkbox"/> attorney or agent under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34 _____																				
 Signature																				
Thomas Triolo Typed or printed name																				
December 21, 2004 Date																				
908-298-2347 Telephone Number																				

**NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.**

Total of \_\_\_\_\_ forms are submitted.

This collection of information is required by 37 CFR 1.138(e). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1-1 and 1-4. This collection is estimated to take 8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office U.S. Department of Commerce P.O. Box 1450 Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

RECEIVED  
CENTRAL FOX CENTER

DEC 21 2004

PTO/SB/122 (12-04)

Approved for use through 07/31/2008. OMB 0651-0031  
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)</b>		Docket Number (optional)												
FY 2005 (From pursuant to the Consolidated Appropriations Act 2005 (H.R. 1818))		JB06017US01												
Application Number 10/822,254		Filed April 9, 2004												
For Soluble, Stable Form of HDm2, Crystalline Forms Thereof and Methods of Use Thereof														
Art Unit 1653		Examiner Agnes Beata Rooke												
This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application.														
The requested extension and fee are as follows (check if the period desired and enter the appropriate fee below):														
<table> <thead> <tr> <th></th> <th style="text-align: center;">Fee</th> </tr> </thead> <tbody> <tr> <td><input checked="" type="checkbox"/> One month (37 CFR 1.17(a)(1))</td> <td style="text-align: center;">\$120</td> </tr> <tr> <td><input type="checkbox"/> Two months (37 CFR 1.17(a)(2))</td> <td style="text-align: center;">\$450</td> </tr> <tr> <td><input type="checkbox"/> Three months (37 CFR 1.17(a)(3))</td> <td style="text-align: center;">\$1020</td> </tr> <tr> <td><input type="checkbox"/> Four months (37 CFR 1.17(a)(4))</td> <td style="text-align: center;">\$1590</td> </tr> <tr> <td><input type="checkbox"/> Five months (37 CFR 1.17(a)(5))</td> <td style="text-align: center;">\$2160</td> </tr> </tbody> </table>				Fee	<input checked="" type="checkbox"/> One month (37 CFR 1.17(a)(1))	\$120	<input type="checkbox"/> Two months (37 CFR 1.17(a)(2))	\$450	<input type="checkbox"/> Three months (37 CFR 1.17(a)(3))	\$1020	<input type="checkbox"/> Four months (37 CFR 1.17(a)(4))	\$1590	<input type="checkbox"/> Five months (37 CFR 1.17(a)(5))	\$2160
	Fee													
<input checked="" type="checkbox"/> One month (37 CFR 1.17(a)(1))	\$120													
<input type="checkbox"/> Two months (37 CFR 1.17(a)(2))	\$450													
<input type="checkbox"/> Three months (37 CFR 1.17(a)(3))	\$1020													
<input type="checkbox"/> Four months (37 CFR 1.17(a)(4))	\$1590													
<input type="checkbox"/> Five months (37 CFR 1.17(a)(5))	\$2160													
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.														
<input type="checkbox"/> A check in the amount of the fee is enclosed.														
<input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.														
<input type="checkbox"/> The Director has already been authorized to charge fees in this application to a Deposit Account.														
<input checked="" type="checkbox"/> The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number <u>19-0365</u> I have enclosed a duplicate copy of this sheet.														
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.														
I am the <input type="checkbox"/> applicant/inventor. <input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. <input type="checkbox"/> Statement under 37 CFR 3.73(b) is enclosed (Form PTO/SB/96). <input checked="" type="checkbox"/> attorney or agent of record. Registration Number <u>48,001</u> <input type="checkbox"/> attorney or agent under 37 CFR 1.34. <small>Registration number if acting under 37 CFR 1.34</small>														
 Signature		<u>December 21, 2004</u> Date												
<u>Thomas Triolo</u> <small>Typed or printed name</small>		<u>908-298-2347</u> <small>Telephone Number</small>												

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

 Total of \_\_\_\_\_ forms are submitted.

This collection of information is required by 37 CFR 1.136(e). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1-1 and 1-14. This collection is estimated to take 8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22315-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.